# State of Minnesota

# **HOUSE OF REPRESENTATIVES**

NINETY-SECOND SESSION

H. F. No. 980

BD

2/10/2021	Authored by Becker-Finn and Scott
	The bill was read for the first time and referred to the Committee on Judiciary Finance and Civil Law
3/01/2021	Adoption of Report: Amended and re-referred to the Committee on Human Services Finance and Policy
3/10/2021	Adoption of Report: Amended and re-referred to the Committee on Ways and Means

A bill for an act 1.1 relating to family law; modifying child support and arrears provisions; eliminating 1.2 interest on child support judgments; requiring the court to provide certain notices; 1.3 modifying requirements for parent education program; amending Minnesota 1.4 Statutes 2020, sections 518.157, subdivisions 1, 3; 518.68, subdivision 2; 518A.29; 1.5 518A.33; 518A.35, subdivisions 1, 2; 518A.39, subdivision 7; 518A.40, subdivision 1.6 4, by adding a subdivision; 518A.42; 518A.43, by adding a subdivision; 518A.685; 1.7 548.091, subdivisions 1a, 2a, 3b, 9, 10; 549.09, subdivision 1. 1.8

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

ARTICLE 1 1.10

# CHILD SUPPORT INCOME PROVISIONS, GUIDELINES, CHILD CARE COSTS, AND ARREARS

Section 1. Minnesota Statutes 2020, section 518A.29, is amended to read:

#### 518A.29 CALCULATION OF GROSS INCOME.

(a) Subject to the exclusions and deductions in this section, gross income includes any form of periodic payment to an individual, including, but not limited to, salaries, wages, commissions, self-employment income under section 518A.30, workers' compensation, unemployment benefits, annuity payments, military and naval retirement, pension and disability payments, spousal maintenance received under a previous order or the current proceeding, Social Security or veterans benefits provided for a joint child under section 518A.31, and potential income under section 518A.32. Salaries, wages, commissions, or other compensation paid by third parties shall be based upon gross income before participation in an employer-sponsored benefit plan that allows an employee to pay for a benefit or expense using pretax dollars, such as flexible spending plans and health savings

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accounts. No deductions shall be allowed for contributions to pensions, 401-K, IRA, or
other retirement benefits.

- (b) Gross income does not include compensation received by a party for employment in excess of a 40-hour work week, provided that:
- (1) child support is ordered in an amount at least equal to the guideline amount based on gross income not excluded under this clause; and
  - (2) the party demonstrates, and the court finds, that:
- 2.8 (i) the excess employment began after the filing of the petition for dissolution or legal separation or a petition related to custody, parenting time, or support;
  - (ii) the excess employment reflects an increase in the work schedule or hours worked over that of the two years immediately preceding the filing of the petition;
    - (iii) the excess employment is voluntary and not a condition of employment;
- 2.13 (iv) the excess employment is in the nature of additional, part-time or overtime 2.14 employment compensable by the hour or fraction of an hour; and
  - (v) the party's compensation structure has not been changed for the purpose of affecting a support or maintenance obligation.
  - (c) Expense reimbursements or in-kind payments received by a parent in the course of employment, self-employment, or operation of a business shall be counted as income if they reduce personal living expenses.
  - (d) Gross income may be calculated on either an annual or monthly basis. Weekly income shall be translated to monthly income by multiplying the weekly income by 4.33.
  - (e) Gross income does not include a child support payment received by a party. It is a rebuttable presumption that adoption assistance payments, Northstar kinship assistance payments, and foster care subsidies are not gross income.
- 2.25 (f) Gross income does not include the income of the obligor's spouse and the obligee's spouse.
  - (g) Child support or Spousal maintenance payments ordered by a court for a nonjoint child or former spouse or ordered payable to the other party as part of the current proceeding are deducted from other periodic payments received by a party for purposes of determining gross income.

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3.1	(h) Gross income does not include public assistance benefits received under section
3.2	256.741 or other forms of public assistance based on need.

## **EFFECTIVE DATE.** This section is effective January 1, 2023.

Sec. 2. Minnesota Statutes 2020, section 518A.33, is amended to read:

#### 518A.33 DEDUCTION FROM INCOME FOR NONJOINT CHILDREN.

- (a) When either or both parents are legally responsible for a nonjoint child, a deduction for this obligation shall be calculated under this section if:
  - (1) the nonjoint child primarily resides in the parent's household; and
- (2) the parent is not obligated to pay basic child support for the nonjoint child to the other parent or a legal custodian of the child under an existing child support order.
- (b) The court shall use the guidelines under section 518A.35 to determine the basic child support obligation for the nonjoint child or children by using the gross income of the parent for whom the deduction is being calculated and the number of nonjoint children primarily residing in the parent's household. If the number of nonjoint children to be used for the determination is greater than two, the determination must be made using the number two instead of the greater number. Court-ordered child support for a nonjoint child shall be deducted from the payor's gross income.
- (c) The deduction for nonjoint children is 50 percent of the guideline amount determined under paragraph (b). When a parent is legally responsible for a nonjoint child and the parent is not obligated to pay basic child support for the nonjoint child to the other parent or a legal custodian under an existing child support order, a deduction shall be calculated. The court shall use the basic support guideline table under section 518A.35 to determine this deduction by using the gross income of the parent for whom the deduction is being calculated, minus any deduction under paragraph (b) and the number of eligible nonjoint children, up to six children. The deduction for nonjoint children is 75 percent of the guideline amount determined under this paragraph.
- **EFFECTIVE DATE.** This section is effective January 1, 2023.
- Sec. 3. Minnesota Statutes 2020, section 518A.35, subdivision 1, is amended to read: 3.28
- 3.29 Subdivision 1. **Determination of support obligation.** (a) The guideline in this section is a rebuttable presumption and shall be used in any judicial or administrative proceeding 3.30 to establish or modify a support obligation under this chapter. 3.31

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- (b) The basic child support obligation shall be determined by referencing the guideline for the appropriate number of joint children and the combined parental income for determining child support of the parents.
- (c) If a child is not in the custody of either parent and a support order is sought against one or both parents, the basic child support obligation shall be determined by referencing the guideline for the appropriate number of joint children, and the parent's individual parental income for determining child support, not the combined parental incomes for determining child support of the parents. Unless a parent has court-ordered parenting time, the parenting expense adjustment formula under section 518A.34 must not be applied.
- (d) If a child is in custody of either parent not residing with the parent that has court-ordered or statutory custody and a support order is sought by the public authority under section 256.87 against one or both parents, unless the parent against whom the support order is sought has court-ordered parenting time, the basic support obligation must be determined by referencing the guideline for the appropriate number of joint children and the parent's individual income without application of the parenting expense adjustment formula under section 518A.34.
- (e) For combined parental incomes for determining child support exceeding \$15,000 \$20,000 per month, the presumed basic child support obligations shall be as for parents with combined parental income for determining child support of \$15,000 \$20,000 per month. A basic child support obligation in excess of this level may be demonstrated for those reasons set forth in section 518A.43.

## **EFFECTIVE DATE.** This section is effective January 1, 2023.

Sec. 4. Minnesota Statutes 2020, section 518A.35, subdivision 2, is amended to read:

Subd. 2. **Basic support; guideline.** Unless otherwise agreed to by the parents and approved by the court, when establishing basic support, the court must order that basic support be divided between the parents based on their proportionate share of the parents' combined monthly parental income for determining child support (PICS). Basic support must be computed using the following guideline:

4.29	Combined Parental			Number of (	Children		
4.30 4.31 4.32	Income for Determining Child Support	One	Two	Three	Four	Five	Six
4.33 4.34	\$0- <del>\$799</del> <u>\$1,399</u>	\$50	\$50 \$60	\$75 \$70	\$75 \$80	\$100 \$90	\$100
4.35	<del>800- 899</del>	<del>80</del>	<del>129</del>	<del>149</del>	<del>173</del>	<del>201</del>	<del>233</del>

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	HF980 SECOND ENGRO	SSMENT	REV	VISOR	BD		H0980-2
5.1	<del>900- 999</del>	<del>90</del>	145	<del>167</del>	<del>194</del>	<del>226</del>	<del>262</del>
5.2	1,000-1,099	<del>116</del>	<del>161</del>	<del>186</del>	<del>216</del>	<del>251</del>	<del>291</del>
5.3	<del>1,100-1,199</del>	145	<del>205</del>	<del>237</del>	<del>275</del>	<del>320</del>	<del>370</del>
5.4	<del>1,200-1,299</del>	<del>177</del>	<del>254</del>	<del>294</del>	<del>341</del>	<del>396</del>	4 <del>59</del>
5.5	<del>1,300-1,399</del>	<del>212</del>	<del>309</del>	<del>356</del>	414	<del>480</del>	<del>557</del>
5.6	1,400- 1,499	251	368	4 <del>25</del>	4 <del>93</del>	573	664
5.7		60	75	85	100	110	120
5.8	1,500- 1,599	<del>292</del>	4 <del>33</del>	500	580	673	780
5.9		<u>75</u>	<u>90</u>	105	125	135	145
5.10	1,600- 1,699	337	<del>502</del>	580	673	781	905
5.11		90	<u>110</u>	130	150	160	170
5.12	1,700- 1,799	385	577	666	<del>773</del>	897	1,040
5.13		110	130	155	<u>175</u>	185	195
5.14	1,800- 1,899	436	657	758	880	1,021	1,183
5.15		130	150	180	200	210	220
5.16	1,900- 1,999	490	742	856	994	1,152	1,336
5.17		150	175	205	235	245	255
5.18	2,000- 2,099	516	832	960	1,114	1,292	1,498
5.19		170	200	235	270	285	295
5.20	2,100-2,199	528	851	981	1,139	1,320	1,531
5.21		190	225	265	305	325	335
5.22	2,200- 2,299	538	867	1,000	1,160	1,346	1,561
5.23		215	255	300	345	367	379
5.24	2,300- 2,399	546	881	1,016	1,179	1,367	1,586
5.25		240	285	335	385	409	423
5.26	2,400- 2,499	554	893	1,029	1,195	1,385	1,608
5.27		265	315	370	425	451	467
5.28	2,500- 2,599	560	903	1,040	1,208	1,400	1,625
5.29		290	350	408	465	493	511
5.30	2,600- 2,699	570	920	1,060	1,230	1,426	1,655
5.31		315	385	446	505	535	555
5.32	2,700- 2,799	580	936	1,078	1,251	1,450	1,683
5.33		340	420	484	545	577	599
5.34	2,800- 2,899	589	950	1,094	1,270	1,472	1,707
5.35		365	455	522	585	619	643
5.36	2,900- 2,999	<del>596</del>	963	1,109	1,287	1,492	1,730
5.37		390	490	560	625	661	687
5.38	3,000- 3,099	603	975	1,122	1,302	1,509	1,749
5.39		415	525	598	665	703	731
5.40	3,100-3,199	613	991	1,141	1,324	1,535	1,779
5.41		440	560	636	705	745	775
5.42	3,200- 3,299	623	1,007	1,158	1,344	1,558	1,807
5.43		465	595	674	745	787	819
5.44	3,300- 3,399	636	1,021	1,175	1,363	1,581	1,833
5.45		485	630	712	785	829	863

	HF980 SECOND ENGRO	SSMENT	REV	VISOR	BD		Н0980-2
6.1	3,400- 3,499	650	1,034	1,190	1,380	1,601	1,857
6.2		505	665	750	825	871	907
6.3	3,500-3,599	664	1,047	1,204	1,397	<del>1,621</del>	1,880
6.4		525	695	784	861	<u>910</u>	948
6.5	3,600-3,699	677	1,062	1,223	1,418	1,646	1,909
6.6		545	725	818	897	949	989
6.7	3,700-3,799	<del>691</del>	1,077	1,240	1,439	1,670	1,937
6.8		<u>565</u>	755	852	933	988	1,030
6.9	3,800- 3,899	<del>705</del>	1,081	1,257	1,459	1,693	1,963
6.10		585	785	886	969	1,027	1,071
6.11	3,900- 3,999	719	1,104	1, <del>273</del>	1,478	1,715	1,988
6.12		605	815	920	1,005	1,065	1,111
6.13	4,000- 4,099	732	1,116	1,288	1,496	1,736	2,012
6.14		625	845	954	1,041	1,103	1,151
6.15	4,100- 4,199	<del>746</del>	1,132	1,305	1,516	1,759	2,039
6.16		<u>645</u>	875	988	1,077	1,142	1,191
6.17	4,200- 4,299	<del>760</del>	1,147	1,322	1,536	1,781	2,064
6.18		<u>665</u>	905	1,022	1,113	1,180	1,230
6.19	4,300- 4,399	774	<del>1,161</del>	1,338	1,554	1,802	2,088
6.20		685	<u>935</u>	1,056	1,149	1,218	1,269
6.21	4,400- 4,499	787	1,175	1,353	1,572	1,822	2,111
6.22		705	965	1,090	1,185	1,256	1,308
6.23	4,500- 4,599	801	1,184	1,368	1,589	1,841	2,133
6.24		724	993	1,122	1,219	1,292	1,345
6.25	4,600- 4,699	808	1,200	1,386	1,608	1,864	2,160
6.26		743	1,021	1,154	1,253	1,328	1,382
6.27	4,700- 4,799	814	1,215	1,402	1,627	1,887	2,186
6.28		762	1,049	1,186	1,287	1,364	1,419
6.29	4,800- 4,899	820	1,231	1,419	1,645	1,908	2,212
6.30		781	1,077	1,218	1,321	1,400	1,456
6.31	4,900- 4,999	825	1,246	1,435	1,663	1,930	2,236
6.32		800	1,105	1,250	1,354	1,435	1,493
6.33	5,000- 5,099	831	1,260	1,450	1,680	1,950	2,260
6.34		818	1,132	1,281	1,387	1,470	1,529
6.35	5,100- 5,199	837	1,275	1,468	1,701	1,975	2,289
6.36		835	1,159	1,312	1,420	1,505	1,565
6.37	5,200- 5,299	843	1,290	1,485	1,722	1,999	2,317
6.38		852	1,186	1,343	1,453	1,540	1,601
6.39	5,300- 5,399	849	1,304	1,502	1,743	2,022	2,345
6.40		869	1,213	1,374	1,486	1,575	1,638
6.41	5,400- 5,499	854	1,318	1,518	1,763	2,046	2,372
6.42		886	1,240	1,405	1,519	1,610	1,674
6.43	5,500- 5,599	860	1,331	1,535	1,782	2,068	2,398
6.44		903	1,264	1,434	1,550	1,643	1,708
6.45	5,600- 5,699	866	1,346	1,551	1,801	2,090	2,424
6.46		920	1,288	1,463	1,581	1,676	1,743

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	HF980 SECOND ENGR	OSSMENT	RE	VISOR	BD		Н0980-2
7.1	5,700- 5,799	873	1,357	1,568	1,819	2,111	2,449
7.2		937	1,312	1,492	1,612	1,709	1,777
7.3	5,800- 5,899	881	1,376	1,583	1,837	2,132	2,473
7.4		954	1,336	1,521	1,643	1,742	1,811
7.5	5,900- 5,999	888	1,390	1,599	1,855	2,152	2,497
7.6		971	1,360	1,550	1,674	1,775	1,846
7.7	6,000- 6,099	<del>895</del>	1,404	1,604	1,872	2,172	2,520
7.8		<u>988</u>	1,383	1,577	1,703	1,805	1,877
7.9	6,100- 6,199	9 <del>02</del>	1,419	1,631	1,892	2,195	2,546
7.10		993	1,391	1,586	1,713	1,815	1,887
7.11	6,200- 6,299	909	1,433	1,645	1,912	2,217	2,572
7.12		999	1,399	1,594	1,722	1,825	1,898
7.13	6,300- 6,399	916	1,448	1,664	1,932	2,239	2,597
7.14		1,005	1,406	1,603	1,732	1,836	1,909
7.15	6,400- 6,499	923	1,462	1,682	<del>1,951</del>	2,260	2,621
7.16		1,010	1,414	1,612	<u>1,741</u>	1,846	1,920
7.17	6,500- 6,599	930	1,476	<del>1,697</del>	1,970	2,282	2,646
7.18		1,016	1,422	<u>1,621</u>	1,751	1,856	1,931
7.19	6,600- 6,699	936	1,490	1,713	1,989	2,305	2,673
7.20		1,021	1,430	1,630	1,761	1,866	1,941
7.21	6,700- 6,799	943	1,505	1,730	2,009	2,328	2,700
7.22		1,027	1,438	1,639	1,770	1,876	1,951
7.23	6,800- 6,899	950	1,519	1,746	2,028	2,350	2,727
7.24		1,032	1,445	1,648	1,780	1,887	1,962
7.25	6,900- 6,999	957	1,533	1,762	2,047	<del>2,379</del>	2 <del>,747</del>
7.26		1,038	1,453	1,657	1,790	<u>1,897</u>	1,973
7.27	7,000- 7,099	9 <del>63</del>	1,547	1,778	2,065	2,394	2,753
7.28		1,044	1,462	1,666	1,800	1,908	1,984
7.29	7,100- 7,199	970	1,561	1,795	2,085	<del>2,417</del>	2,758
7.30		1,050	1,470	1,676	1,810	<u>1,918</u>	1,995
7.31	7,200- 7,299	974	1,574	1,812	2,104	2,439	2,764
7.32		1,056	1,479	1,686	1,821	1,930	2,007
7.33	7,300- 7,399	9 <del>80</del>	1,587	1,828	2,123	<del>2,462</del>	2,769
7.34		1,063	1,488	1,696	1,832	<u>1,942</u>	2,019
7.35	7,400- 7,499	9 <del>89</del>	1,600	1,844	2,142	2,483	2,775
7.36		1,069	1,496	1,706	1,843	1,953	2,032
7.37	7,500- 7,599	998	1,613	1,860	2,160	2,505	2,781
7.38		1,075	1,505	1,716	1,854	1,965	2,043
7.39	7,600- 7,699	1,006	1,628	1,877	2,180	2,528	2,803
7.40		1,081	1,514	1,725	1,863	1,975	2,054
7.41	7,700- 7,799	1,015	1,643	1,894	2,199	2,550	2,833
7.42		1,087	1,522	1,735	1,874	1,986	2,066
7.43	7,800- 7,899	1,023	1,658	1,911	2,218	2,572	2,864
7.44		1,093	1,531	1,745	1,885	1,998	2,078
7.45	7,900- 7,999	1,032	1,673	1,928	2,237	2,594	2,894
7.46		1,099	1,540	1,755	1,896	2,009	2,090

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	HF980 SECOND ENGR	OSSMENT	REV	VISOR	BD		H0980-2
8.1	8,000- 8,099	1,040	1,688	1,944	2,256	2,616	2,925
8.2		1,106	1,548	1,765	1,907	2,021	2,102
8.3	8,100- 8,199	1,048	1,703	1,960	2,274	2,637	2,955
8.4		1,112	1,557	1,775	1,917	2,032	2,114
8.5	8,200- 8,299	1,056	1,717	1,976	2,293	2,658	2,985
8.6		1,118	1,566	1,785	1,928	2,044	2,126
8.7	8,300 -8,399	1,064	1,731	1,992	2,311	2,679	3,016
8.8		1,124	1,574	1,795	1,939	2,055	2,137
8.9	8,400- 8,499	1,072	1,746	2,008	2,328	2,700	3,046
8.10		1,131	1,583	1,804	1,949	2,066	2,149
8.11 8.12	8,500- 8,599	1,080 1,137	1,760 1,592	2,023 1,814	2,346 1,960	$\frac{2,720}{2,078}$	3,077 2,161
8.13	8,600- 8,699	1,092	1,780	2,047	2,374	2,752	3,107
8.14		1,143	1,600	1,824	1,970	2,089	2,173
8.15	8,700- 8,799	1,105	1,801	2 <del>,071</del>	2,401	2,784	3,138
8.16		1,149	1,609	1,834	1,981	2,100	2,185
8.17	8,800- 8,899	1,118	1,822	2,094	2,429	2,816	3,168
8.18		1,155	1,618	1,844	1,992	2,112	2,197
8.19	8,900- 8,999	1,130	1,842	2,118	2,456	2,848	3,199
8.20		1,162	1,626	1,854	2,003	2,124	2,209
8.21	9,000- 9,099	1,143	1,863	2,142	2,484	2,880	3,223
8.22		1,168	1,635	1,864	2,014	2,135	2,221
8.23	9,100- 9,199	1,156	1,884	2,166	2,512	2,912	3,243
8.24		1,174	1,644	1,874	2,024	2,146	2,232
8.25	9,200- 9,299	1,168	1,904	2,190	2,539	2,944	3,263
8.26		1,180	1,652	1,884	2,035	2,158	2,244
8.27	9,300- 9,399	1,181	1,925	2,213	2,567	2,976	3,284
8.28		1,186	1,661	1,893	2,045	2,168	2,255
8.29	9,400- 9,499	1,194	1,946	2,237	2,594	3,008	3,304
8.30		1,193	1,670	1,903	2,056	2,179	2,267
8.31	9,500- 9,599	1,207	1,967	2,261	2,622	3,031	3,324
8.32		1,199	1,678	1,913	2,066	2,190	2,278
8.33	9,600- 9,699	1,219	1,987	2,285	2,650	3,050	3,345
8.34		1,205	1,687	1,923	2,077	2,202	2,290
8.35	9,700- 9,799	1,232	2,008	2,309	2,677	3,069	3,365
8.36		1,211	1,696	1,933	2,088	2,214	2,302
8.37	9,800- 9,899	1,245	2,029	2,332	2,705	3,087	3,385
8.38		1,217	1,704	1,943	2,099	2,225	2,314
8.39	9,900- 9,999	1,257	2,049	2,356	2,732	3,106	3,406
8.40		1,224	1,713	1,953	2,110	2,237	2,326
8.41	10,000-10,099	1,270	2,070	2,380	2,760	3,125	3,426
8.42		1,230	1,722	1,963	2,121	2,248	2,338
8.43	10,100-10,199	1,283	2,091	2,404	2,788	3,144	3,446
8.44		1,236	1,730	1,973	2,131	2,259	2,350
8.45	10,200-10,299	1,295	2,111	2,428	2,815	3,162	3,467
8.46		1,242	1,739	1,983	2,142	2,270	2,361

	HF980 SECOND ENGR	OSSMENT	REV	/ISOR	BD		Н0980-2
9.1	10,300-10,399	1,308	2,132	2,451	2,843	3,181	3,487
9.2		1,248	1,748	1,992	2,152	2,281	2,373
9.3	10,400-10,499	1,321	2,153	2,475	2,870	3,200	3,507
9.4		1,254	1,756	2,002	2,163	2,292	2,384
9.5	10,500-10,599	1,334	2,174	2,499	2,898	3,218	3,528
9.6		1,261	1,765	2,012	2,173	2,304	2,396
9.7	10,600-10,699	1,346	2,194	2,523	2,921	3,237	3,548
9.8		1,267	1,774	2,022	2,184	2,316	2,409
9.9	10,700-10,799	1,359	2,215	2,547	2,938	3,256	3,568
9.10		1,273	1,782	2,032	2,195	2,327	2,420
9.11	10,800-10,899	1,372	<del>2,236</del>	2,570	2,955	3,274	3,589
9.12		1,279	1,791	2,042	2,206	2,338	2,432
9.13	10,900-10,999	1,384	2,256	2,594	2,972	3,293	3,609
9.14		1,285	1,800	2,052	2,217	2,349	2,444
9.15	11,000-11,099	1,397	2,277	2,618	2,989	3,312	3,629
9.16		1,292	1,808	2,061	2,226	2,360	2,455
9.17	11,100-11,199	1,410	2,294	2,642	3,006	3,331	3,649
9.18		1,298	1,817	2,071	2,237	2,372	2,467
9.19	11,200-11,299	1,422	2,306	2,666	3,023	3,349	3,667
9.20		1,304	1,826	2,081	2,248	2,384	2,479
9.21	11,300-11,399	1,435	2,319	2,689	3,040	3,366	3,686
9.22		1,310	1,834	2,091	2,259	2,395	2,491
9.23	11,400-11,499	1,448	2,331	2,713	3,055	3,383	3,705
9.24		1,316	1,843	2,101	2,270	2,406	2,503
9.25	11,500-11,599	1,461	2,344	2,735	3,071	3,400	3,723
9.26		1,323	1,852	2,111	2,280	2,417	2,514
9.27	11,600-11,699	1,473	2,356	2,748	3,087	3,417	3,742
9.28		1,329	1,860	2,121	2,291	2,428	2,526
9.29	11,700-11,799	1,486	2,367	2,762	3,102	3,435	3,761
9.30		1,335	1,869	2,131	2,302	2,439	2,537
9.31	11,800-11,899	1,499	2,378	2,775	3,116	3,452	3,780
9.32		1,341	1,878	2,141	2,313	2,451	2,549
9.33	11,900-11,999	1,511	2,389	2,788	3,131	3,469	3,798
9.34		1,347	1,886	2,150	2,323	2,463	2,561
9.35	12,000-12,099	1,524	2,401	2,801	3,146	3,485	3,817
9.36		1,354	1,895	2,160	2,333	2,474	2,573
9.37	12,100-12,199	1,537	2,412	2,814	3,160	3,501	3,836
9.38		1,360	1,904	2,170	2,344	2,485	2,585
9.39	12,200-12,299	1,549	<del>2,423</del>	2,828	3,175	3,517	3,854
9.40		1,366	<u>1,912</u>	2,180	2,355	2,497	2,597
9.41	12,300-12,399	1,562	2,434	2,841	3,190	3,534	3,871
9.42		1,372	1,921	2,190	2,366	2,509	2,609
9.43	12,400-12,499	1,575	2,445	2,854	3,205	3,550	3,889
9.44		1,378	1,930	2,200	2,377	2,520	2,621
9.45	12,500-12,599	1,588	2,456	2,867	3,219	3,566	3,907
9.46		1,385	1,938	2,210	2,387	2,531	2,633

	HF980 SECOND ENGR	OSSMENT	REV	/ISOR	BD		H0980-2
10.1	12,600-12,699	1,600	2,467	2,880	3,234	3,582	3,924
10.2		1,391	1,947	2,220	2,397	2,542	2,644
10.3	12,700-12,799	1,613	2,478	2,894	3,249	3,598	3,942
10.4		1,397	1,956	2,230	2,408	2,553	2,656
10.5	12,800-12,899	1,626	2,489	2,907	3,264	3,615	3,960
10.6		1,403	1,964	2,240	2,419	2,565	2,668
10.7	12,900-12,999	1,638	2,500	2,920	3,278	3,631	3,977
10.8		1,409	1,973	2,250	2,430	2,576	2,680
10.9	13,000-13,099	1,651	<del>2,512</del>	2,933	3,293	3,647	3,995
10.10		1,416	<u>1,982</u>	2,259	2,440	2,587	2,691
10.11	13,100-13,199	1,664	2,523	2,946	3,308	3,663	4 <del>,012</del>
10.12		1,422	1,990	2,269	2,451	2,599	2,703
10.13	13,200-13,299	1,676	2,534	2,960	3,322	3,679	4,030
10.14		1,428	1,999	2,279	2,462	2,610	2,715
10.15	13,300-13,399	1,689	2,545	2,973	3,337	3,696	4,048
10.16		1,434	2,008	2,289	2,473	2,622	2,727
10.17	13,400-13,499	1,702	2,556	2,986	3,352	3,712	4,065
10.18		1,440	2,016	2,299	2,484	2,633	2,739
10.19	13,500-13,599	1,715	2,567	2,999	3,367	3,728	4 <del>,083</del>
10.20		1,446	2,025	2,309	2,494	2,644	2,751
10.21	13,600-13,699	1,727	2,578	3,012	3,381	3,744	4,100
10.22		1,453	2,034	2,318	2,504	2,655	2,762
10.23	13,700-13,799	1,740	2,589	3,026	3,396	3,760	4,118
10.24		1,459	2,042	2,328	2,515	2,666	2,773
10.25	13,800-13,899	1,753	2,600	3,039	3,411	3,777	4,136
10.26		1,465	2,051	2,338	2,526	2,677	2,784
10.27	13,900-13,999	1,765	2,611	3,052	3,425	3,793	4,153
10.28		1,471	2,060	2,348	2,537	2,688	2,795
10.29	14,000-14,099	1,778	2,623	3,065	3,440	3,809	4,171
10.30		1,477	2,068	2,358	2,547	2,699	2,807
10.31	14,100-14,199	1,791	2,634	3,078	3,455	3,825	4,189
10.32		1,484	2,077	2,368	2,558	2,711	2,819
10.33	14,200-14,299	1,803	2,645	3,092	3,470	3,841	4,206
10.34		1,490	2,086	2,378	2,569	2,722	2,831
10.35	14,300-14,399	1,816	2,656	3,105	3,484	3,858	4,224
10.36		1,496	2,094	2,388	2,580	2,734	2,843
10.37	14,400-14,499	1,829	2,667	3,118	3,499	3,874	4 <del>,239</del>
10.38		1,502	2,103	2,398	2,590	2,746	2,855
10.39	14,500-14,599	1,842	2,678	3,131	3,514	3,889	4,253
10.40		1,508	2,111	2,407	2,600	2,757	2,867
10.41	14,600-14,699	1,854	2,689	3,144	3,529	3,902	4 <del>,268</del>
10.42		1,515	2,120	2,417	2,611	2,768	2,879
10.43	14,700-14,799	1,864	2,700	3,158	3,541	3,916	4 <del>,282</del>
10.44		1,521	2,129	2,427	2,622	2,780	2,891
10.45	14,800-14,899	1,872	2,711	3,170	3,553	3,929	4,297
10.46		1,527	2,138	2,437	2,633	2,792	2,903

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	HF980 SECOND ENGR	OSSMENT	RE	VISOR	BD		Н0980-2
11.1 11.2	14,900-14,999	1,879 1,533	2,722 2,146	3,181 2,447	3,565 2,643	3,942 2,802	4 <del>,311</del> 2,914
11.3 11.4 11.5 11.6	15,000 <del>, or the amount in effect under subd. 4</del> -15,099	1,883 1,539	2,727 2,155	3,186 2,457	3,571 2,654	3,949 2,813	4,319 2,926
11.7	15,100-15,199	1,545	2,163	2,466	2,664	2,825	2,937
11.8	15,200-15,299	<u>1,551</u>	2,171	2,476	2,675	2,836	2,949
11.9	15,300-15,399	<u>1,557</u>	2,180	2,486	2,685	2,847	2,961
11.10	15,400-15,499	1,563	2,188	2,495	2,695	2,858	2,973
11.11	15,500-15,599	1,569	2,197	2,505	2,706	2,869	2,985
11.12	15,600-15,699	1,575	2,205	2,514	2,716	2,880	2,996
11.13	15,700-15,799	1,581	2,214	2,524	2,727	2,891	3,008
11.14	15,800-15,899	1,587	2,222	2,534	2,737	2,902	3,019
11.15	15,900-15,999	1,593	2,230	2,543	2,747	2,913	3,030
11.16	16,000-16,099	1,599	2,239	2,553	2,758	2,924	3,042
11.17	16,100-16,199	1,605	2,247	2,562	2,768	2,935	3,053
11.18	16,200-16,299	<u>1,611</u>	2,256	<u>2,572</u>	2,779	2,946	3,065
11.19	16,300-16,399	<u>1,617</u>	2,264	2,582	2,789	2,957	3,076
11.20	16,400-16,499	1,623	2,272	<u>2,591</u>	2,799	2,968	3,088
11.21	16,500-16,599	1,629	<u>2,281</u>	<u>2,601</u>	<u>2,810</u>	2,979	3,099
11.22	16,600-16,699	1,635	2,289	<u>2,610</u>	2,820	2,990	3,110
11.23	16,700-16,799	<u>1,641</u>	2,298	<u>2,620</u>	<u>2,830</u>	3,001	3,121
11.24	16,800-16,899	1,647	2,306	2,629	2,840	3,011	3,132
11.25	16,900-16,999	1,653	2,315	2,639	2,851	3,022	3,143
11.26	17,000-17,099	<u>1,659</u>	2,323	2,649	2,861	3,033	3,155
11.27	17,100-17,199	1,665	<u>2,331</u>	2,658	2,871	3,044	3,167
11.28	17,200-17,299	<u>1,671</u>	<u>2,340</u>	2,668	2,882	3,055	3,178
11.29	17,300-17,399	<u>1,677</u>	2,348	<u>2,677</u>	2,892	3,066	3,189
11.30	17,400-17,499	<u>1,683</u>	2,357	2,687	2,902	3,077	3,201
11.31	17,500-17,599	<u>1,689</u>	2,365	2,696	2,912	3,088	3,212
11.32	17,600-17,699	<u>1,695</u>	2,373	2,705	2,922	3,098	3,223
11.33	17,700-17,799	<u>1,701</u>	2,382	2,715	2,932	3,109	3,234
11.34	17,800-17,899	<u>1,707</u>	2,390	2,724	2,942	3,119	3,245
11.35	17,900-17,999	<u>1,713</u>	2,399	2,734	2,953	3,130	3,256
11.36	18,000-18,099	<u>1,719</u>	2,407	2,744	2,963	3,141	3,268
11.37	18,100-18,199	1,725	2,415	2,753	2,973	3,152	3,279
11.38	18,200-18,299	<u>1,731</u>	2,424	2,763	2,984	3,163	3,290
11.39	18,300-18,399	1,737	2,432	<u>2,772</u>	<u>2,994</u>	<u>3,174</u>	3,301

Article 1 Sec. 4.

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	HF980 SECOND ENGR	OSSMENT	RE	VISOR	BD		H0980-2
12.1	18,400-18,499	1,743	<u>2,441</u>	2,782	3,004	3,185	3,313
12.2	18,500-18,599	1,749	2,449	2,791	3,014	3,196	3,324
12.3	18,600-18,699	1,755	2,457	<u>2,801</u>	3,024	3,206	3,335
12.4	18,700-18,799	1,761	2,466	2,811	3,035	3,217	3,346
12.5	18,800-18,899	1,767	2,474	2,820	3,045	3,227	3,357
12.6	18,900-18,999	1,773	2,483	2,830	3,056	3,238	3,368
12.7	19,000-19,099	1,779	2,491	2,840	3,066	3,249	3,380
12.8	19,100-19,199	1,785	2,499	2,849	3,076	3,260	3,392
12.9	19,200-19,299	1,791	2,508	2,859	3,087	3,271	3,403
12.10	19,300-19,399	1,797	2,516	2,868	3,097	3,282	3,414
12.11	19,400-19,499	1,803	2,525	2,878	3,107	3,293	3,426
12.12	19,500-19,599	1,809	2,533	2,887	3,117	3,304	3,437
12.13	19,600-19,699	<u>1,815</u>	2,541	2,896	3,127	3,315	3,448
12.14	19,700-19,799	<u>1,821</u>	<u>2,550</u>	<u>2,906</u>	3,138	3,326	3,459
12.15	19,800-19,899	1,827	2,558	<u>2,915</u>	3,148	3,337	<u>3,470</u>
12.16	19,900-19,999	1,833	2,567	<u>2,925</u>	3,159	3,348	3,481
12.17	20,000 and over or	1,839	<u>2,575</u>	2,935	3,170	3,359	3,492
12.18	the amount in						
12.19	effect under						
12.20	subdivision 4						

**EFFECTIVE DATE.** This section is effective January 1, 2023.

- Sec. 5. Minnesota Statutes 2020, section 518A.39, subdivision 7, is amended to read:
- Subd. 7. **Child care exception.** Child care support must be based on the actual child care expenses. The court may provide that a decrease in the amount of the child care based on a decrease in the actual child care expenses is effective as of the date the expense is decreased. Under section 518A.40, subdivision 4, paragraph (d), a decrease in the amount of child care support shall be effective as of the date the expenses terminated unless otherwise found by the court.
- Sec. 6. Minnesota Statutes 2020, section 518A.40, is amended by adding a subdivision to read:
- Subd. 3a. Child care cost information. (a) Upon the request of the obligor when child care support is ordered to be paid, unless there is a protective or restraining order issued by the court regarding one of the parties or on behalf of a joint child, or the obligee is a participant in the Safe at Home program:

13.1	(1) the obligee must give the child care provider the name and address of the obligor
13.2	and must give the obligor the name, address, and telephone number of the child care provider;
13.3	(2) by February 1 of each year, the obligee must provide the obligor with verification
13.4	from the child care provider that indicates the total child care expenses paid for the previous
13.5	year; and
13.6	(3) when there is a change in the child care provider, the type of child care provider, or
13.7	the age group of the child, the obligee must provide updated information to the obligor
13.8	within 90 calendar days. If the obligee fails to provide the annual verification from the
13.9	provider or updated information, the obligor may request the verification from the provider.
13.10	(b) When the obligee is no longer incurring child care expenses, the obligee must notify
13.11	the obligor, and the public authority if it provides child support services, that the child care
13.12	expenses ended and on which date. If the public authority is providing services, the public
13.13	authority must follow the procedure outlined in subdivision 4.
13.14	Sec. 7. Minnesota Statutes 2020, section 518A.40, subdivision 4, is amended to read:
13.15	Subd. 4. Change in child care. (a) When a court order provides for child care expenses,
13.16	and child care support is not assigned under section 256.741, the public authority, if the
13.17	public authority provides child support enforcement services, may suspend collecting the
13.18	amount allocated for child care expenses when either party informs the public authority that
13.19	no child care eosts expenses are being incurred and:
13.20	(1) the public authority verifies the accuracy of the information with the obligee; or
13.21	(2) the obligee fails to respond within 30 days of the date of a written request from the
13.22	public authority for information regarding child care costs. A written or oral response from
13.23	the obligee that child care costs are being incurred is sufficient for the public authority to
13.24	continue collecting child care expenses.
13.25	The suspension is effective as of the first day of the month following the date that the public
13.26	authority either verified the information with the obligee or the obligee failed to respond.
13.27	The public authority will resume collecting child care expenses when either party provides
13.28	information that child care costs are incurred, or when a child care support assignment takes
13.29	effect under section 256.741, subdivision 4. The resumption is effective as of the first day
13.30	of the month after the date that the public authority received the information.
13.31	(b) If the parties provide conflicting information to the public authority regarding whether
13.32	child care expenses are being incurred, the public authority will continue or resume collecting

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- child care expenses. Either party, by motion to the court, may challenge the suspension,
  continuation, or resumption of the collection of child care expenses under this subdivision.

  If the public authority suspends collection activities for the amount allocated for child care expenses, all other provisions of the court order remain in effect.
  - (c) In cases where there is a substantial increase or decrease in child care expenses, the parties may modify the order under section 518A.39.
- 14.7 (d) In cases where child care expenses have terminated, the parties may modify the order under section 518A.39.
- (e) When the public authority is providing child support services, the parties may contact
  the public authority about the option of a stipulation to modify or terminate the child care
  support amount.
- 14.12 Sec. 8. Minnesota Statutes 2020, section 518A.42, is amended to read:

#### 518A.42 ABILITY TO PAY; SELF-SUPPORT ADJUSTMENT.

- Subdivision 1. **Ability to pay.** (a) It is a rebuttable presumption that a child support order should not exceed the obligor's ability to pay. To determine the amount of child support the obligor has the ability to pay, the court shall follow the procedure set out in this section.
- (b) The court shall calculate the obligor's income available for support by subtracting a monthly self-support reserve equal to 120 percent of the federal poverty guidelines for one person from the obligor's gross income parental income for determining child support (PICS). If the obligor's income available for support calculated under this paragraph is equal to or greater than the obligor's support obligation calculated under section 518A.34, the court shall order child support under section 518A.34.
- (c) If the obligor's income available for support calculated under paragraph (b) is more than the minimum support amount under subdivision 2, but less than the guideline amount under section 518A.34, then the court shall apply a reduction to the child support obligation in the following order, until the support order is equal to the obligor's income available for support:
- 14.28 (1) medical support obligation;
- 14.29 (2) child care support obligation; and
- 14.30 (3) basic support obligation.
- 14.31 (d) If the obligor's income available for support calculated under paragraph (b) is equal
  14.32 to or less than the minimum support amount under subdivision 2 or if the obligor's gross

15.1	income is less than 120 percent of the federal poverty guidelines for one person, the minimum
15.2	support amount under subdivision 2 applies.
15.3	Subd. 2. Minimum basic support amount. (a) If the basic support amount applies, the
15.4	court must order the following amount as the minimum basic support obligation:
15.5	(1) for one or two children child, the obligor's basic support obligation is \$50 per month;
15.6	(2) for two children, the obligor's basic support obligation is \$60 per month;
15.7	(3) for three or four children, the obligor's basic support obligation is $$75$ $$70$ per month;
15.8	and
15.9	(4) for four children, the obligor's basic support obligation is \$80 per month;
15.10	(3) (5) for five or more children, the obligor's basic support obligation is $$100$ $$90$ per
15.11	month-; and
15.12	(6) for six or more children, the obligor's basic support obligation is \$100 per month.
15.13	(b) If the court orders the obligor to pay the minimum basic support amount under this
15.14	subdivision, the obligor is presumed unable to pay child care support and medical support.
15.15	If the court finds the obligor receives no income and completely lacks the ability to earn
15.16	income, the minimum basic support amount under this subdivision does not apply.
15.17	Subd. 3. <b>Exception.</b> (a) This section does not apply to an obligor who is incarcerated.
15.18	(b) If the court finds the obligor receives no income and completely lacks the ability to
15.19	earn income, the minimum basic support amount under this subdivision does not apply.
15.20	(c) If the obligor's basic support amount is reduced below the minimum basic support
15.21	amount due to the application of the parenting expense adjustment, the minimum basic
15.22	support amount under this subdivision does not apply and the lesser amount is the guideline
15.23	basic support.
15.24	<b>EFFECTIVE DATE.</b> This section is effective January 1, 2023.
15.25	Sec. 9. Minnesota Statutes 2020, section 518A.43, is amended by adding a subdivision to
15.26	read:
15.27	Subd. 1b. Increase in income of custodial parent. In a modification of support under
15.28	section 518A.39, the court may deviate from the presumptive child support obligation under
15.29	section 518A.34 when the only change in circumstances is an increase to the custodial
15.30	parent's income and:

16.1	(1) the basic support increases;
16.2	(2) the parties' combined gross income is \$6,000 or less; or
16.3	(3) the obligor's income is \$2,000 or less.
16.4	EFFECTIVE DATE. This section is effective January 1, 2023.
16.5	Sec. 10. Minnesota Statutes 2020, section 518A.685, is amended to read:
16.6	518A.685 CONSUMER REPORTING AGENCY; REPORTING ARREARS.
16.7	(a) If a public authority determines that an obligor has not paid the current monthly
16.8 16.9	support obligation plus any required arrearage payment for three months, the public authority must may report this information to a consumer reporting agency.
16.10	(b) Before reporting that an obligor is in arrears for court-ordered child support, the
16.11	public authority must:
16.12 16.13	(1) provide written notice to the obligor that the public authority intends to report the arrears to a consumer reporting agency; and
16.14	(2) mail the written notice to the obligor's last known mailing address at least 30 days
16.15	before the public authority reports the arrears to a consumer reporting agency.
16.16	(c) The obligor may, within 21 days of receipt of the notice, do the following to preven
16.17	the public authority from reporting the arrears to a consumer reporting agency:
16.18	(1) pay the arrears in full; or
16.19	(2) request an administrative review. An administrative review is limited to issues of
16.20	mistaken identity, a pending legal action involving the arrears, or an incorrect arrears
16.21	balance-; or
16.22	(3) enter into a written payment agreement pursuant to section 518A.69 that is approved
16.23	by a court, a child support magistrate, or the public authority responsible for child support
16.24	enforcement.
16.25	(d) A public authority that reports arrearage information under this section must make
16.26	monthly reports to a consumer reporting agency. The monthly report must be consistent
16.27	with credit reporting industry standards for child support.
16.28	(e) For purposes of this section, "consumer reporting agency" has the meaning given in
16.29	section 13C.001, subdivision 4, and United States Code, title 15, section 1681a(f).

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**EFFECTIVE DATE.** This section is effective January 1, 2023.

- of parenting time is NOT an excuse for nonpayment, but the aggrieved party must seek 17.26 relief through a proper motion filed with the court. 17.27
- (c) Nonpayment of support is not grounds to deny parenting time. The party entitled to 17.28 receive support may apply for support and collection services, file a contempt motion, 17.29 or obtain a judgment as provided in Minnesota Statutes, section 548.091. 17.30

18.1	(d) The payment of support or spousal maintenance takes priority over payment of debts
18.2	and other obligations.
18.3	(e) A party who accepts additional obligations of support does so with the full knowledge
18.4	of the party's prior obligation under this proceeding.
18.5	(f) Child support or maintenance is based on annual income, and it is the responsibility
18.6	of a person with seasonal employment to budget income so that payments are made
18.7	throughout the year as ordered.
18.8	(g) Reasonable parenting time guidelines are contained in Appendix B, which is available
18.9	from the court administrator.
18.10	(h) The nonpayment of support may be enforced through the denial of student grants;
18.11	interception of state and federal tax refunds; suspension of driver's, recreational, and
18.12	occupational licenses; referral to the department of revenue or private collection agencies;
18.13	seizure of assets, including bank accounts and other assets held by financial institutions;
18.14	reporting to credit bureaus; interest charging, income withholding, and contempt
18.15	proceedings; and other enforcement methods allowed by law.
18.16	(i) The public authority may suspend or resume collection of the amount allocated for
18.17	child care expenses if the conditions of Minnesota Statutes, section 518A.40, subdivision
18.18	4, are met.
18.19	(j) The public authority may remove or resume a medical support offset if the conditions
18.20	of Minnesota Statutes, section 518A.41, subdivision 16, are met.
18.21	(k) The public authority may suspend or resume interest charging on child support
18.22	judgments if the conditions of Minnesota Statutes, section 548.091, subdivision 1a, are met.
18.23	5. MODIFYING CHILD SUPPORT
18.24	If either the obligor or obligee is laid off from employment or receives a pay reduction,
18.25	child support may be modified, increased, or decreased. Any modification will only take
18.26	effect when it is ordered by the court, and will only relate back to the time that a motion
18.27	is filed. Either the obligor or obligee may file a motion to modify child support, and may
18.28	request the public agency for help. UNTIL A MOTION IS FILED, THE CHILD
18.29	SUPPORT OBLIGATION WILL CONTINUE AT THE CURRENT LEVEL. THE
18.30	COURT IS NOT PERMITTED TO REDUCE SUPPORT RETROACTIVELY.
18.31	6. PARENTAL RIGHTS FROM MINNESOTA STATUTES, SECTION 518.17,
18.32	SUBDIVISION 3

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- (a) Each party has the right of access to, and to receive copies of, school, medical, dental, religious training, and other important records and information about the minor children. Each party has the right of access to information regarding health or dental insurance available to the minor children. Presentation of a copy of this order to the custodian of a record or other information about the minor children constitutes sufficient authorization for the release of the record or information to the requesting party.
- (b) Each party shall keep the other informed as to the name and address of the school of attendance of the minor children. Each party has the right to be informed by school officials about the children's welfare, educational progress and status, and to attend school and parent teacher conferences. The school is not required to hold a separate conference for each party.
- (c) In case of an accident or serious illness of a minor child, each party shall notify the 19.13 other party of the accident or illness, and the name of the health care provider and the 19.14 place of treatment. 19.15
- (d) Each party has the right of reasonable access and telephone contact with the minor 19.16 children. 19.17

#### 7. WAGE AND INCOME DEDUCTION OF SUPPORT AND MAINTENANCE

Child support and/or spousal maintenance may be withheld from income, with or without notice to the person obligated to pay, when the conditions of Minnesota Statutes, section 518A.53 have been met. A copy of those sections is available from any district court clerk.

## 8. CHANGE OF ADDRESS OR RESIDENCE

Unless otherwise ordered, each party shall notify the other party, the court, and the public 19.24 authority responsible for collection, if applicable, of the following information within 19.25 ten days of any change: the residential and mailing address, telephone number, driver's 19.26 19.27 license number, Social Security number, and name, address, and telephone number of the employer. 19.28

#### 9. COST OF LIVING INCREASE OF SUPPORT AND MAINTENANCE

Basic support and/or spousal maintenance may be adjusted every two years based upon 19.30 a change in the cost of living (using Department of Labor Consumer Price Index ......., 19.31 unless otherwise specified in this order) when the conditions of Minnesota Statutes, 19.32 section 518A.75, are met. Cost of living increases are compounded. A copy of Minnesota 19.33

20.1	Statutes, section 518A.75, and forms necessary to request or contest a cost of living
20.2	increase are available from any district court clerk.
20.3	10. JUDGMENTS FOR UNPAID SUPPORT
20.4	If a person fails to make a child support payment, the payment owed becomes a judgment
20.5	against the person responsible to make the payment by operation of law on or after the
20.6	date the payment is due, and the person entitled to receive the payment or the public
20.7	agency may obtain entry and docketing of the judgment WITHOUT NOTICE to the
20.8	person responsible to make the payment under Minnesota Statutes, section 548.091.
20.9	Interest begins to accrue on a payment or installment of child support whenever the
20.10	unpaid amount due is greater than the current support due, according to Minnesota
20.11	Statutes, section 548.091, subdivision 1a.
20.12	11. JUDGMENTS FOR UNPAID MAINTENANCE
20.13	(a) A judgment for unpaid spousal maintenance may be entered when the conditions of
20.14	Minnesota Statutes, section 548.091, are met. A copy of that section is available from
20.15	any district court clerk.
20.16	(b) The public authority is not responsible for calculating interest on any judgment for
20.17	unpaid spousal maintenance. When providing services in IV-D cases, as defined in
20.18	Minnesota Statutes, section 518A.26, subdivision 10, the public authority will only
20.19	collect interest on spousal maintenance if spousal maintenance is reduced to a sum
20.20	certain judgment.
20.21	12. ATTORNEY FEES AND COLLECTION COSTS FOR ENFORCEMENT OF CHILD
20.22	SUPPORT
20.23	A judgment for attorney fees and other collection costs incurred in enforcing a child
20.24	support order will be entered against the person responsible to pay support when the
20.25	conditions of Minnesota Statutes, section 518A.735, are met. A copy of Minnesota
20.26	Statutes, sections 518.14 and 518A.735 and forms necessary to request or contest these
20.27	attorney fees and collection costs are available from any district court clerk.
20.28	13. PARENTING TIME EXPEDITOR PROCESS
20.29	On request of either party or on its own motion, the court may appoint a parenting time
20.30	expeditor to resolve parenting time disputes under Minnesota Statutes, section 518.1751.
20.31	A copy of that section and a description of the expeditor process is available from any
20.32	district court clerk.

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Remedies and penalties for the wrongful denial of parenting time are available under Minnesota Statutes, section 518.175, subdivision 6. These include compensatory parenting time; civil penalties; bond requirements; contempt; and reversal of custody. A copy of that subdivision and forms for requesting relief are available from any district court clerk.

#### **EFFECTIVE DATE.** This section is effective August 1, 2022.

Sec. 2. Minnesota Statutes 2020, section 548.091, subdivision 1a, is amended to read:

Subd. 1a. Child support judgment by operation of law. (a) Any payment or installment of support required by a judgment or decree of dissolution or legal separation, determination of parentage, an order under chapter 518C, an order under section 256.87, or an order under section 260B.331 or 260C.331, that is not paid or withheld from the obligor's income as required under section 518A.53, or which is ordered as child support by judgment, decree, or order by a court in any other state, is a judgment by operation of law on and after the date it is due, is entitled to full faith and credit in this state and any other state, and shall be entered and docketed by the court administrator on the filing of affidavits as provided in subdivision 2a. Except as otherwise provided by paragraphs (b) and (e), interest accrues from the date the unpaid amount due is greater than the current support due at the annual rate provided in section 549.09, subdivision 1, not to exceed an annual rate of 18 percent. A payment or installment of support that becomes a judgment by operation of law between the date on which a party served notice of a motion for modification under section 518A.39, subdivision 2, and the date of the court's order on modification may be modified under that subdivision. Interest does not accrue on a judgment for child support, confinement and pregnancy expenses, or genetic testing fees.

(b) Notwithstanding the provisions of section 549.09, upon motion to the court and upon proof by the obligor of 12 consecutive months of complete and timely payments of both current support and court-ordered paybacks of a child support debt or arrearage, the court may order interest on the remaining debt or arrearage to stop accruing. Timely payments are those made in the month in which they are due. If, after that time, the obligor fails to make complete and timely payments of both current support and court-ordered paybacks of child support debt or arrearage, the public authority or the obligee may move the court for the reinstatement of interest as of the month in which the obligor ceased making complete and timely payments.

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22.1	The court shall provide copies of all orders issued under this section to the public
22.2	authority. The state court administrator shall prepare and make available to the court and
22.3	the parties forms to be submitted by the parties in support of a motion under this paragraph.
22.4	(c) Notwithstanding the provisions of section 549.09, upon motion to the court, the court
22.5	may order interest on a child support debt or arrearage to stop accruing where the court
22.6	finds that the obligor is:
22.7	(1) unable to pay support because of a significant physical or mental disability;
22.8	(2) a recipient of Supplemental Security Income (SSI), Title II Older Americans Survivor's
22.9	Disability Insurance (OASDI), other disability benefits, or public assistance based upon
22.10	need; or
22.11	(3) institutionalized or incarcerated for at least 30 days for an offense other than
22.12	nonsupport of the child or children involved, and is otherwise financially unable to pay
22.13	support.
22.14	(d) If the conditions in paragraph (c) no longer exist, upon motion to the court, the court
22.15	may order interest accrual to resume retroactively from the date of service of the motion to
22.16	resume the accrual of interest.
22.17	(e) Notwithstanding section 549.09, the public authority must suspend the charging of
22.17	interest when:
22.10	interest when.
22.19	(1) the obligor makes a request to the public authority that the public authority suspend
22.20	the charging of interest;
22.21	(2) the public authority provides full IV-D child support services; and
22.22	(3) the obligor has made, through the public authority, 12 consecutive months of complete
22.23	and timely payments of both current support and court-ordered paybacks of a child support
22.24	debt or arrearage.
22.25	Timely payments are those made in the month in which they are due.
22.26	Interest charging must be suspended on the first of the month following the date of the
22.27	written notice of the public authority's action to suspend the charging of interest. If, after
22.28	interest charging has been suspended, the obligor fails to make complete and timely payments
22.29	of both current support and court-ordered paybacks of child support debt or arrearage, the
22.30	public authority may resume the charging of interest as of the first day of the month in which
22.31	the obligor ceased making complete and timely payments.

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The public authority must provide written notice to the parties of the public authority's action to suspend or resume the charging of interest. The notice must inform the parties of the right to request a hearing to contest the public authority's action. The notice must be sent by first class mail to the parties' last known addresses.

A party may contest the public authority's action to suspend or resume the charging of interest if the party makes a written request for a hearing within 30 days of the date of written notice. If a party makes a timely request for a hearing, the public authority must schedule a hearing and send written notice of the hearing to the parties by mail to the parties' last known addresses at least 14 days before the hearing. The hearing must be conducted in district court or in the expedited child support process if section 484.702 applies. The district court or child support magistrate must determine whether suspending or resuming the interest charging is appropriate and, if appropriate, the effective date.

#### **EFFECTIVE DATE.** This section is effective August 1, 2022.

- Sec. 3. Minnesota Statutes 2020, section 548.091, subdivision 2a, is amended to read:
- Subd. 2a. Entry and docketing of child support judgment. (a) On or after the date an 23.15 23.16 unpaid amount becomes a judgment by operation of law under subdivision 1a, the obligee or the public authority may file with the court administrator: 23.17
  - (1) a statement identifying, or a copy of, the judgment or decree of dissolution or legal separation, determination of parentage, order under chapter 518B or 518C, an order under section 256.87, an order under section 260B.331 or 260C.331, or judgment, decree, or order for child support by a court in any other state, which provides for periodic installments of child support, or a judgment or notice of attorney fees and collection costs under section 518A.735;
  - (2) an affidavit of default. The affidavit of default must state the full name, occupation, place of residence, and last known post office address of the obligor, the name of the obligee, the date or dates payment was due and not received and judgment was obtained by operation of law, the total amount of the judgments to be entered and docketed; and
  - (3) an affidavit of service of a notice of intent to enter and docket judgment and to recover attorney fees and collection costs on the obligor, in person or by first class mail at the obligor's last known post office address. Service is completed upon mailing in the manner designated. Where applicable, a notice of interstate lien in the form promulgated under United States Code, title 42, section 652(a), is sufficient to satisfy the requirements of clauses (1) and (2).

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(b) A judgment entered and docketed under this subdivision has the same effect and is
subject to the same procedures, defenses, and proceedings as any other judgment in district
court, and may be enforced or satisfied in the same manner as judgments under section
548.09, except as otherwise provided.

- (c) A judgment entered and docketed under this subdivision is not subject to interest charging or accrual.
  - **EFFECTIVE DATE.** This section is effective August 1, 2022.
- Sec. 4. Minnesota Statutes 2020, section 548.091, subdivision 3b, is amended to read:
  - Subd. 3b. Child support judgment administrative renewals. Child support judgments may be renewed by service of notice upon the debtor. Service must be by first class mail at the last known address of the debtor, with service deemed complete upon mailing in the manner designated, or in the manner provided for the service of civil process. Upon the filing of the notice and proof of service, the court administrator shall administratively renew the judgment for child support without any additional filing fee in the same court file as the original child support judgment. The judgment must be renewed in an amount equal to the unpaid principal plus the accrued unpaid interest accrued prior to August 1, 2022. Child support judgments may be renewed multiple times until paid.
  - **EFFECTIVE DATE.** This section is effective August 1, 2022.
- Sec. 5. Minnesota Statutes 2020, section 548.091, subdivision 9, is amended to read:
  - Subd. 9. **Payoff statement.** The public authority shall issue to the obligor, attorneys, lenders, and closers, or their agents, a payoff statement setting forth conclusively the amount necessary to satisfy the lien. Payoff statements must be issued within three business days after receipt of a request by mail, personal delivery, telefacsimile, or electronic mail transmission, and must be delivered to the requester by telefacsimile or electronic mail transmission if requested and if appropriate technology is available to the public authority. If the payoff statement includes amounts for unpaid maintenance, the statement shall specify that the public authority does not calculate accrued interest and that an interest balance in addition to the payoff statement may be owed.
- 24.29 **EFFECTIVE DATE.** This section is effective August 1, 2022.

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Sec. 6. Minnesota Statutes 2020, section 548.091, subdivision 10, is amended to read:

Subd. 10. Release of lien. Upon payment of the child support amount due, the public authority shall execute and deliver a satisfaction of the judgment lien within five business days. The public authority is not responsible for satisfaction of judgments for unpaid maintenance.

## **EFFECTIVE DATE.** This section is effective August 1, 2022.

Sec. 7. Minnesota Statutes 2020, section 549.09, subdivision 1, is amended to read:

Subdivision 1. When owed; rate. (a) When a judgment or award is for the recovery of money, including a judgment for the recovery of taxes, interest from the time of the verdict, award, or report until judgment is finally entered shall be computed by the court administrator or arbitrator as provided in paragraph (c) and added to the judgment or award.

(b) Except as otherwise provided by contract or allowed by law, preverdict, preaward, or prereport interest on pecuniary damages shall be computed as provided in paragraph (c) from the time of the commencement of the action or a demand for arbitration, or the time of a written notice of claim, whichever occurs first, except as provided herein. The action must be commenced within two years of a written notice of claim for interest to begin to accrue from the time of the notice of claim. If either party serves a written offer of settlement, the other party may serve a written acceptance or a written counteroffer within 30 days. After that time, interest on the judgment or award shall be calculated by the judge or arbitrator in the following manner. The prevailing party shall receive interest on any judgment or award from the time of commencement of the action or a demand for arbitration, or the time of a written notice of claim, or as to special damages from the time when special damages were incurred, if later, until the time of verdict, award, or report only if the amount of its offer is closer to the judgment or award than the amount of the opposing party's offer. If the amount of the losing party's offer was closer to the judgment or award than the prevailing party's offer, the prevailing party shall receive interest only on the amount of the settlement offer or the judgment or award, whichever is less, and only from the time of commencement of the action or a demand for arbitration, or the time of a written notice of claim, or as to special damages from when the special damages were incurred, if later, until the time the settlement offer was made. Subsequent offers and counteroffers supersede the legal effect of earlier offers and counteroffers. For the purposes of clause (2), the amount of settlement offer must be allocated between past and future damages in the same proportion as determined by the trier of fact. Except as otherwise provided by contract or allowed by law, preverdict, preaward, or prereport interest shall not be awarded on the following:

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- (1) judgments, awards, or benefits in workers' compensation cases, but not including third-party actions;
  - (2) judgments or awards for future damages;
- (3) punitive damages, fines, or other damages that are noncompensatory in nature;
  - (4) judgments or awards not in excess of the amount specified in section 491A.01; and
- (5) that portion of any verdict, award, or report which is founded upon interest, or costs, 26.6 disbursements, attorney fees, or other similar items added by the court or arbitrator. 26.7
  - (c)(1)(i) For a judgment or award of \$50,000 or less or a judgment or award for or against the state or a political subdivision of the state, regardless of the amount, or a judgment or award in a family court action, except for a child support judgment, regardless of the amount, the interest shall be computed as simple interest per annum. The rate of interest shall be based on the secondary market yield of one year United States Treasury bills, calculated on a bank discount basis as provided in this section.
  - On or before the 20th day of December of each year the state court administrator shall determine the rate from the one-year constant maturity treasury yield for the most recent calendar month, reported on a monthly basis in the latest statistical release of the board of governors of the Federal Reserve System. This yield, rounded to the nearest one percent, or four percent, whichever is greater, shall be the annual interest rate during the succeeding calendar year. The state court administrator shall communicate the interest rates to the court administrators and sheriffs for use in computing the interest on verdicts and shall make the interest rates available to arbitrators.
  - This item applies to any section that references section 549.09 by citation for the purposes of computing an interest rate on any amount owed to or by the state or a political subdivision of the state, regardless of the amount.
  - (ii) The court, in a family court action, may order a lower interest rate or no interest rate if the parties agree or if the court makes findings explaining why application of a lower interest rate or no interest rate is necessary to avoid causing an unfair hardship to the debtor. This item does not apply to child support or spousal maintenance judgments subject to section 548.091.
- (2) For a judgment or award over \$50,000, other than a judgment or award for or against 26.30 the state or a political subdivision of the state or a judgment or award in a family court 26.31 action, the interest rate shall be ten percent per year until paid. 26.32

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(3) When a judgment creditor, or the judgment creditor's attorney or agent, has received
a payment after entry of judgment, whether the payment is made voluntarily by or on behalf
of the judgment debtor, or is collected by legal process other than execution levy where a
proper return has been filed with the court administrator, the judgment creditor, or the
judgment creditor's attorney, before applying to the court administrator for an execution
shall file with the court administrator an affidavit of partial satisfaction. The affidavit must
state the dates and amounts of payments made upon the judgment after the most recent
affidavit of partial satisfaction filed, if any; the part of each payment that is applied to taxable
disbursements and to accrued interest and to the unpaid principal balance of the judgment;
and the accrued, but the unpaid interest owing, if any, after application of each payment.

- (4) Interest shall not accrue on child support judgments.
- (d) This section does not apply to arbitrations between employers and employees under chapter 179 or 179A. An arbitrator is neither required to nor prohibited from awarding interest under chapter 179 or under section 179A.16 for essential employees.
- 27.15 (e) For purposes of this subdivision:
- 27.16 (1) "state" includes a department, board, agency, commission, court, or other entity in 27.17 the executive, legislative, or judicial branch of the state; and
  - (2) "political subdivision" includes a town, statutory or home rule charter city, county, school district, or any other political subdivision of the state.

### **EFFECTIVE DATE.** This section is effective August 1, 2022.

# 27.21 **ARTICLE 3**

#### PARENT EDUCATION PROGRAM REQUIREMENTS

Section 1. Minnesota Statutes 2020, section 518.157, subdivision 1, is amended to read:

Subdivision 1. **Implementation; administration.** (a) By January 1, 1998, the chief judge of each judicial district or a designee shall implement one or more parent education programs within the judicial district for the purpose of educating parents about the impact that divorce, the restructuring of families, and judicial proceedings have upon children and families; methods for preventing parenting time conflicts; and dispute resolution options. The chief judge of each judicial district or a designee may require that children attend a separate education program designed to deal with the impact of divorce upon children as part of the parent education program. Each parent education program must enable persons to have timely and reasonable access to education sessions.

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28.1	(b) The chief judge of each judicial district shall ensure that the judicial district's website
28.2	includes information on the parent education program or programs required under this
28.3	section.
28.4	Sec. 2. Minnesota Statutes 2020, section 518.157, subdivision 3, is amended to read:
28.5	Subd. 3. <b>Attendance.</b> (a) In a proceeding under this chapter where the parties have not
28.6	agreed to custody or a parenting time is contested schedule, the court shall order the parents
28.7	of a minor child shall attend to attend or take online a minimum of eight hours in an
28.8	orientation and education program that meets the minimum standards promulgated by the
28.9	Minnesota Supreme Court.
28.10	(b) In all other proceedings involving custody, support, or parenting time the court may
28.11	order the parents of a minor child to attend a parent education program.
28.12	(c) The program shall provide the court with names of persons who fail to attend the
28.13	parent education program as ordered by the court. Persons who are separated or contemplating
28.14	involvement in a dissolution, paternity, custody, or parenting time proceeding may attend
28.15	a parent education program without a court order.
28.16	(d) Unless otherwise ordered by the court, participation in a parent education program
28.17	must begin before an initial case management conference and within 30 days after the first
28.18	filing with the court or as soon as practicable after that time based on the reasonable
28.19	availability of classes for the program for the parent. Parent education programs must offer
28.20	an opportunity to participate at all phases of a pending or postdecree proceeding.
28.21	(e) Upon request of a party and a showing of good cause, the court may excuse the party

in the program.

(f) Before an initial case management conference for a proceeding under this chapter where the parties have not agreed to custody or parenting time, the court shall notify the parties of their option to resolve disagreements, including the development of a parenting plan, through the use of private mediation.

from attending the program. If past or present domestic abuse, as defined in chapter 518B,

is alleged, the court shall not require the parties to attend the same parent education sessions

and shall enter an order setting forth the manner in which the parties may safely participate